

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRES RODRIGUEZ,

Defendant.

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Criminal Action No. 06-03


WAIVER OF INDICTMENT

1. ANDRES RODRIGUEZ, the above named Defendant, who is accused of violating Title 26, United States Code, Section 7206(2), being advised of the nature of the charges and of his rights, hereby knowingly, voluntarily and intelligently waives prosecution by indictment and consents that the proceeding may be by information instead of by indictment.

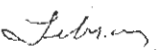
2. The Defendant understands that (a) unless he waives indictment, he could not be charged with violating Title 26, United States Code, Section 7206(2), unless the Grand Jury found probable cause to believe he committed these offenses and returned an indictment; (b) the Grand Jury is composed of at least sixteen, but not more than twenty-three lay persons, and at least twelve of those Grand Jurors must find probable cause to believe that the Defendant committed the offense before an indictment could be returned; and (c) by waiving indictment, the Government will be proceeding by a document written by the United States Attorney and called an "information," and the defendant will be prosecuted on that information, rather than on an indictment.

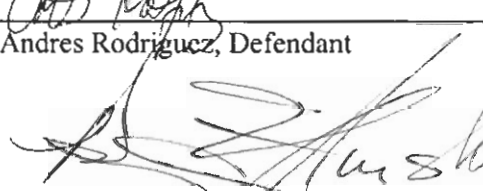
3. The Defendant has read and reviewed with his counsel the charges in the Information in this case, and is satisfied that his counsel has properly explained the charges and this Waiver to him.

4. No one has made the Defendant any promises or threatened or forced the Defendant to waive indictment.


Date: January 19, 2006


Andres Rodriguez, Defendant


Date: January 14, 2006


Penny Marshall, Esquire
Counsel for Defendant